

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BUZZMARKETING, LLC,

Plaintiff,

v.

THE UPPER DECK COMPANY, LLC,

Defendant.

Civil Action No. 03-4392

**AFFIDAVIT OF EDWARD S. ZUSMAN, ESQUIRE
IN SUPPORT OF MOTION TO PERMIT APPEARANCE *PRO HAC VICE***

Edward S. Zusman, Esquire of full age, being duly sworn, deposes and says:

1. I am a partner in the law firm of Markun, Zusman & Compton, LLP, located at 601 Montgomery Street, Suite 900, San Francisco, California 94111. I am fully familiar with the facts set forth herein and submit this Affidavit in support of my application to be admitted *pro hac vice* as co-counsel for Defendant, The Upper Deck Company, LLC.

2. I am a member in good standing of the Bar of the State of California and the United States District Courts for the Northern District of California, the Southern District of California, the Central District of California and the Eastern District of California.

3. I have never been censured, suspended, disciplined or disbarred by any Court. I am not involved in any disciplinary action, contempt or other proceeding before any Court.

4. My law firm has established an attorney-client relationship with The Upper Deck Company, LLC, who has specifically requested that I undertake its representation in connection with this matter and in all further proceedings in this case, including all pre-trial matters and at

trial, acting as co-counsel with other representatives of Marshall, Dennehey, Warner, Coleman & Goggin ("Marshall, Dennehey") admitted to practice before this Court.

5. I have become familiar with the facts and legal issues relative to the above captioned litigation. Also, a substantial portion of my practice is devoted to the subject area of law involved herein. Thus, I believe my admission *pro hac vice* will further the interests of judicial economy and convenience, and would minimize the expense of this litigation.

6. Counsel of record for The Upper Deck Company, LLC is Marshall, Dennehey. A representative of Marshall, Dennehey admitted to practice before this Court will continue to have primary responsibility for this matter. Should the Court, in its discretion, grant this application, I agree that I shall abide by the Federal Rules of Civil Procedure and the Local Rules of Civil Procedure of this Court, including all disciplinary rules.

7. I shall have all pleadings, briefs and other papers and documents filed with the Court signed by a representative of the firm of Marshall, Dennehey, attorneys of record for The Upper Deck Company, LLC, who are admitted to practice before this Court and who have agreed to be responsible for them, the conduct of the case, and for my participation in the proceedings herein.

EDWARD S. ZUSMAN, ESQUIRE

Sworn and subscribed before me
this day of ,2003

Notary Public

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BUZZMARKETING, LLC,

Plaintiff,

v.

THE UPPER DECK COMPANY, LLC,

Defendant.

Civil Action No. 03-4392

**AFFIDAVIT OF KEVIN K. ENG, ESQUIRE
IN SUPPORT OF MOTION TO PERMIT APPEARANCE *PRO HAC VICE***

Kevin K. Eng, Esquire of full age, being duly sworn, deposes and says:

1. I am an associate with the law firm of Markun, Zusman & Compton, LLP, located at 601 Montgomery Street, Suite 900, San Francisco, California 94111. I am fully familiar with the facts set forth herein and submit this Affidavit in support of my application to be admitted *pro hac vice* as co-counsel for Defendant, The Upper Deck Company, LLC.

2. I am a member in good standing of the Bar of the State of California and the United States District Courts for the Northern District of California, the Southern District of California, and the Central District of California.

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acting as co-counsel with other representatives of Marshall, Dennehey, Warner, Coleman & Goggin ("Marshall, Dennehey") admitted to practice before this Court.

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KEVIN K. ENG, ESQUIRE

Sworn and subscribed before me
this day of ,2003

Notary Public